

ORIGINAL

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
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DOC #:
DATE FILED: JUN 12 2018

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UNITED STATES OF AMERICA

- v. -

EDDIE COTTO,
a/k/a "Eddie Diamond,"
SAMUEL MCCOY,
a/k/a "Sammy,"
JOSEPH MCCOY,
a/k/a "Monkey,"
ERVIN ORTIZ,
a/k/a "Choco," and
JIMMY RIVAS,
a/k/a "Jimbo,"
a/k/a "Jimmy,"

Defendants.
----- X

SEALED INDICTMENT

18 Cr. _____ ()

18 CRIM 413

JUDGE MARRERO

COUNT ONE
(Narcotics Conspiracy)

The Grand Jury charges:

1. From at least in or about May 2017 up to and including in or about May 2018, in the Southern District of New York and elsewhere, EDDIE COTTO, a/k/a "Eddie Diamond," SAMUEL MCCOY, a/k/a "Sammy," JOSEPH MCCOY, a/k/a "Monkey," ERVIN ORTIZ, a/k/a "Choco," and JIMMY RIVAS, a/k/a "Jimbo," a/k/a "Jimmy," the defendants, and others known and unknown, intentionally and knowingly did combine, conspire, confederate, and agree together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy

that EDDIE COTTO, a/k/a "Eddie Diamond," SAMUEL MCCOY, a/k/a "Sammy," JOSEPH MCCOY, a/k/a "Monkey," ERVIN ORTIZ, a/k/a "Choco," and JIMMY RIVAS, a/k/a "Jimbo," a/k/a "Jimmy," the defendants, and others known and unknown, would and did distribute and possess with intent to distribute controlled substances, in violation of Title 21, United States Code, Section 841(a)(1).

3. The controlled substances that EDDIE COTTO, a/k/a "Eddie Diamond," SAMUEL MCCOY, a/k/a "Sammy," JOSEPH MCCOY, a/k/a "Monkey," ERVIN ORTIZ, a/k/a "Choco," and JIMMY RIVAS, a/k/a "Jimbo," a/k/a "Jimmy," the defendants, conspired to distribute were: (1) one kilogram and more of mixtures and substances containing a detectable amount of heroin and fentanyl, in violation of Title 21, United States Code, Section 841(b)(1)(A); and (2) mixtures and substances containing a detectable amount of cocaine, in violation of Title 21, United States Code, Section 841(b)(1)(C).

(Title 21, United States Code, Section 846.)

FORFEITURE ALLEGATION

4. As a result of committing the controlled substance offense alleged in Count One of this Indictment, EDDIE COTTO, a/k/a "Eddie Diamond," SAMUEL MCCOY, a/k/a "Sammy," JOSEPH MCCOY, a/k/a "Monkey," ERVIN ORTIZ, a/k/a "Choco," and JIMMY RIVAS, a/k/a "Jimbo," a/k/a "Jimmy," the defendants, shall

forfeit to the United States, pursuant to Title 21, United States Code, Section 853, any and all property constituting, or derived from, any proceeds obtained, directly or indirectly, as a result of said offense and any and all property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, said offense, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of said offense that the defendants personally obtained.

Substitute Asset Provision

5. If any of the above-described forfeitable property, as a result of any act or omission of the defendants:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third person;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be subdivided without difficulty;

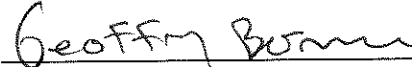
it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of each defendant up to the value of the above forfeitable property.

(Title 21, United States Code, Section 853.)



FOREPERSON

June 12, 2018



GEOFFREY S. BERMAN

United States Attorney

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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Defendants.

SEALED INDICTMENT

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(Title 21, United States Code,
Section 846.)

GEOFFREY S. BERMAN

United States Attorney.

A TRUE BILL



Foreperson.

June 12, 2018

Filed Indictment under seal
Arrest warrants issued

USAT Gorenstein MR

6/12/18